

0034



Norman H. Bangertter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

August 24, 1988

CERTIFIED RETURN RECEIPT REQUESTED
P 001 717 587

Mr. Nathan Atwood
Co-op Mining Company
P. O. Box 1245
Huntington, Utah 84528

Dear Mr. Atwood:

Re: Finalized Assessment for State Violation No. N88-20-1-1, ACT/015/025, Folder #5,
Emery County, Utah

The civil penalty for the above-referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty with the Division within a maximum of thirty (30) days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division, mail % Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

Alan S. Bachman
Assessment Conference Officer

jb

cc: J. Kathmann, OSM AFO
0644Q-7

an equal opportunity employer

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Co-op Mining Company NOV # N88-20-1-1

PERMIT # ACT/015/025 VIOLATION 1 OF 1

Assessment Date _____ Assessment Officer Alan S. Bachman

Nature of violation: Failure to monitor surface and ground water in accordance with approved plan.

Date of termination: Not applicable - No abatement possible, too late

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>7</u>	<u>7</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>0</u>	<u>0</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u>20</u>	<u>13</u>
(3) Negligence	<u>25</u>	<u>15</u>
(4) Good Faith	<u>0</u>	<u>0</u>
TOTAL	<u>52</u>	<u>35</u>

TOTAL ASSESSED FINE \$500.00

3. Narrative:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Proposed assessment was a little excessive in regard to degree of hinderance and negligence. Evidence established an average degree of hinderance and negligence.